

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. NO: 608/92

199

T.A. NO:

DATE OF DECISION 1.7.92

Shri R.J. Kamble Petitioner

Shri Ranganathan Advocate for the Petitioners

Versus

Div. Railway Manager Respondent  
Central Railway  
Nagpur.

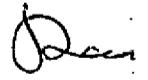
Shri I.G. Sawant Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Ms. Usha Savara, Member (A)

The Hon'ble Mr. J.P. Sharma, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

  
(J.P. Sharma)

Member (J)

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CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No.608/92

Shri R.J. Kamble

... Applicant.

V/s.

Div. Railway Manager,  
Central Railway,  
Nagpur. and others.

... Respondents.

CORAM: Hon'ble Ms. Usha Savara, Member (A)  
Hon'ble Shri J.P. Sharma, Member (J)

Appearance

Shri Ranganathan for  
the applicant

Shri J.G. Sawant for  
the respondents.

JUDGEMENT:

Dated: 1.7.1992

{ Per Shri J.P. Sharma, Member (J) }

 Applicant in this case is Driver, Central Railway and his grievance is that the goods train which he was driving met with an accident while approaching Wani Station from Pimpalkhuti Station on 15.8.1991. Applicant was the driver of the train with loco No. 17163 WDM - 2 and an offence under section 304-A, 337, 338 I.P.C. section 175 and 153 of the Indian Railways Act was registered against the applicant on the basis of F.I.R. by the Assistant Station Master of Wani ; Shri Parmeshwar Jogi.

The applicant was also served with memo dated 18.10.91 for holding enquiry under Rule 9 of the Railway Services (D& A Rules 1968). Alongwith the memo the applicant was also served with articles of charges.

The applicant in the application stated that enquiry has almost concluded at the level of Enquiry Officer.

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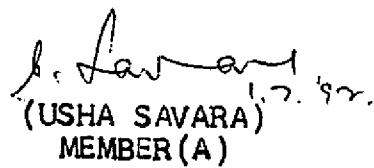
The applicant in this application has claimed the relief that the Departmental Enquiry <sup>be</sup> initiated against the applicant is stayed.

We heard learned counsel for the applicant and were in the course of giving the oral judgement and while under dictation the learned counsel for the applicant desired that he may be allow <sup>ed</sup> to withdraw the application with liberty to file afresh. In view of the above facts the application is disposed of as withdrawn and dismissed with the liberty to the applicant to move afresh <sup>on the difficult course of action</sup> if he so advised, subject to limitation. Application is disposed of at the admission stage itself.



J.P. SHARMA  
MEMBER (J)

1.7.52



1.7.52

Usha Savara  
(USHA SAVARA)  
MEMBER (A)

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